

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR 2002-093045

02/06/2006

THE HON. CRANE MCCLENNEN

CLERK OF THE COURT  
E. Campo/D. McLane  
Deputy

FILED: 02/09/2006

STATE OF ARIZONA

JEANNETTE GALLAGHER

v.

ALAN MARCEL SOJKA (A)

GARY J BEVILACQUA  
JOSEPH A STAZZONE

VICTIM SERVICES DIV-CA-SE

TRIAL MINUTE ENTRY  
DAY 12

State's Attorney:	Jeanette Gallagher
Defendant's Attorney:	Gary Bevilacqua and Joseph Stazzone
Defendant:	Present
Court Reporter:	Kathy Incavo

11:04 a.m. Trial to jury continues from 02/01/2006.

The jurors are present.

The Court receives a written question from the jurors; same is discussed with counsel and answered as set forth on the record.

FILED: Juror Question.

Tom Magazzeni is sworn and testifies.

State's exhibit 85 is offered in evidence but not received.

State's exhibit 84 is received in evidence.

LET THE RECORD REFLECT the witness makes an in-court identification of the Defendant.

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State's exhibit 1 is received in evidence.

State's exhibits 12 through 34 are received in evidence.

State's exhibit 11 is received in evidence.

12:03 p.m. The jurors are excused from the courtroom; Court remains in session.

Court and counsel discuss legal issues.

Upon the State's oral motion, and there being no objection by the Defendant,

State's exhibit 84 is split, and the tape labeled 911 transfer copy is marked as State's exhibit 84.001.

LET THE RECORD REFLECT that State's exhibit 84.001 is not in evidence.

12:06 p.m. Court recesses.

1:05 p.m. Court reconvenes with respective counsel and Defendant present. The jurors are present.

Court reporter, Kathy Incavo, is present.

Tom Magazzeni resumes testimony.

State's exhibits 54 through 63 are received in evidence.

State's exhibits 65 and 66 are received in evidence.

State's exhibits 87, 88, and 89 are received in evidence.

A bench conference is held off the record.

State's exhibit 83 is received in evidence.

The videotape marked as State's exhibit 83 is played in open Court.

The jurors are provided a transcript of the videotape.

2:33 p.m. The jurors are excused from the courtroom; Court recesses.

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2:54 p.m. Court reconvenes with respective counsel and Defendant present. The jurors are present.

Court reporter, Kathy Incavo, is present.

The videotape marked as State's exhibit 83 continues to be played in open Court.

Tom Magazzeni resumes testimony.

State's exhibit 37 is received in evidence.

State's exhibit 68 is received in evidence.

State's exhibit 70 is received in evidence.

The cassette tape marked as State's exhibit 70 is played in open Court

The jurors are provided a transcript of the tape.

3:59 p.m. The jurors are excused from the courtroom; Court remains in session.

Court and counsel discuss the Defendant's objection made to admission of State's exhibit 37 as set forth on the record.

State's exhibits 91 and 92 are marked for identification for demonstrative purposes only.

4:07 p.m. Court recesses until 02/07/2006.